

### **REMARKS/ARGUMENTS**

In response to the Office Action dated June 25, 2008, Applicants respectfully request reconsideration.

#### **Claim Rejections Under 35 U.S.C. §103**

Claims 1-5, 7, 8, 10-14, 16, 20-26 and 28-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. App. Pub. No. 2003/0061335 (Thomas) in view of U.S. Pat. No. 6,609,158 (Nevarez).

#### **Claims 1-5, 7-8, 10-14, 16, 32 and 33**

Applicants submit that claims 1-5, 7-8, 10-14, 16, 32 and 33 are patentable over Thomas in view of Nevarez. Independent claim 1 recites a system for use with electric equipment. The system includes an interface-provisioning device coupled to memory and a second I/O device and configured to convey a computer-executable program toward a remote computer via the second I/O device and a communication network and configured to be executed by the remote computer to provide a computer interface. The Office Action states that "Thomas does not explicitly teach: the second I/O device communicating with a remote computer; the program being executed by a remote computer; and conveying the program toward the remote computer." *Office Action*, at page 3, second paragraph. The Office Action, however, equates a remote provider 246 of Nevarez to the recited second I/O device and apparently equates an ActiveX Control 236 to the recited program. Col. 10, ll. 39-53 of Nevarez provide:

A remote provider 246 provides object access through a remote bridge 248 and the UCS product 224. The remote provider 246 may provide access, for instance, to an OLE component 236 by using remoting technology to get through to a Windows NT or OLE server 106. This may include tunneling through an "NSAPI" Netscape web server API and/or an "ISAPI" Windows NT web server API. The remote provider 230 (sic 246) accepts calls from the object model adapter 246 (sic 230), uses standard network technology such as the remote bridge 248 to contact remote objects, and relays parameters and results. The

remote provider 230 (sic 246) may communicate via the network with another remote provider 246 at the remote location, or it may communicate with another object model provider (e.g., provider 242, 238, or 232), or with remote UCS product code as illustrated. (emphasis added). *Id.*, col. 10, ll. 39-53.

Nevarez thus describes that the remote provider 246 provides access to objects , but the objects of Nevarez are not conveyed over a network. Instead, the remote provider of Nevarez accepts calls from remote devices and relays parameters and results. Nevarez therefore does not teach conveying the program toward the remote computer, as recited in claim 1. Thus, for at least these reasons, independent claim 1, and claims 2-5, 7-8, 10-14, 16, 32 and 33 that depend from claim 1, are patentable over Thomas in view of Nevarez.

Claims 20-26, 28 and 29

Applicants submit that claims 20, 22-26, 28 and 29 are patentable over Thomas in view of Nevarez. Independent claim 20 was amended to generally incorporate the features of claim 21 which has been canceled. Independent claim 20 recites a method of providing information regarding electronic equipment. The method includes monitoring operation of electronic equipment at a first device; receiving, at the first device, an information request regarding the electronic equipment from a network browser application of a requesting device remote from the first device; attempting, at the first device, to determine whether the requesting device currently stores a desired version of a computer-executable user-interface program; and executing a computer-executable user-interface program at the requesting device to produce a user interface for providing information regarding the operation of the electronic equipment, the interface being in a first format that is distinct from a second format associated with the network browser application. The Office Action states that claims 20-25, 28 and 29 are method claims containing the limitations as disclosed in the system claims 1-5, 7 and 8 and are rejected under the same rationale. *Office Action*, at page 5, item e. Although claims 1-5, 7 and 8 recite some system features similar in language to some method features of claim 20, claims 1-5, 7 and 8 do not recite system features similar to all the method features of independent claim 20. For example, claims 1-5, 7 and 8 do not recite features including (1) receiving, at the first device, an

information request regarding the electronic equipment from a network browser application of a requesting device remote from the first device, and (2) executing a computer-executable user-interface program at the requesting device to produce a user interface for providing information regarding the operation of the electronic equipment. Applicants respectfully request the Examiner to cite portions of Thomas or Nevarez that allegedly teach these limitations, or to allow claim 20.

Neither Thomas nor Nevarez teaches a method including attempting, at the first device, to determine whether the requesting device currently stores a desired version of a computer-executable user-interface program, as required by claim 20. The Office Action cites paragraphs [0022] and [0023] as allegedly teaching to determine whether a desired version of an interface application is stored. But, these paragraphs discuss communication server 52 loaded into a server 16, and HMI modules 68, 70 loaded into client computers 32, 36, and do not teach determining that a desired version of a program is stored. A previous Office Action, dated December 13, 2007, cited paragraph [0034] of Thomas as teaching that "the virtual modular relay device includes software that stores product version to associate itself with a device." *Office Action mailed December 13, 2007*, item 12, pages 8-9. The "product version" of Thomas being presented in a display window does not teach or suggest attempting, at a monitoring device (the first device of claim 20), to determine whether a requesting device currently stores a desired version of an executable program. In reference to the "product version" field and other related fields, Thomas describes that "These fields allow the user to quickly identify the modular relay device." *Thomas*, paragraph [0034], ll. 9-10. Thus, the user, and not the monitoring device is doing the determining, and further, the user is identifying the modular relay device and not attempting to determine whether a desired version of a computer executable program is stored on the requesting device. At best, Thomas teaches a method for a remote user to identify the version of a relay device. Neither Thomas nor Nevarez teach or suggest attempting, at a first device, to determine whether a requesting device currently stores a desired version of an executable program. For at least these reasons, independent claim 20, and claims 21-26, 28 and 29 that depend from claim 20, are patentable over Thomas in view of Nevarez.

Claims 30 and 31

Applicants submit that claims 30 and 31 are patentable over Thomas in view of Nevarez. Independent claim 30 recites a computer program product residing on a computer-readable medium and comprising computer-readable and computer-executable instructions for causing a computer to execute an interface-producing program to produce a graphical-window-based user interface on a display of a first device for providing information regarding the operation of electronic equipment, wherein the electronic equipment is monitored by a second device remote from the first device; and determine whether a desired version of the interface-producing program is stored in association with the first device. The Office Action states that claims 30-31 are article of manufacture claims containing the limitations as disclosed in the system claims 1-5, 7 and 8 and are rejected under the same rationale. *Office Action*, at page 6, item g. Although claims 1-5, 7 and 8 recite some system features similar in language to some features of claims 30 and 31, claims 1-5, 7 and 8 do not recite system features similar to all the computer program product features of claims 30 and 31. For example, claims 1-5, 7 and 8 do not recite features including computer-readable and computer executable instructions for causing a computer to execute an interface-producing program to produce a graphical-window-based user interface on a display of a first device for providing information regarding the operation of electronic equipment, wherein the electronic equipment is monitored by a second device remote from the first device, as recited in claim 30. Applicants respectfully request the Examiner to cite portions of Thomas or Nevarez that allegedly teach these limitations, or to allow claim 30.

Neither Thomas nor Nevarez teaches or suggests computer-readable and computer-executable instructions for causing a computer to determine whether a desired version of the interface-producing program is stored in association with the first device. The "product version" of Thomas being presented in a display window does not teach computer-readable and computer executable instructions for causing a computer to determine whether a desired version of the interface-producing program is stored in association with the first device. As discussed above, in reference to the "product version" field and other related fields, Thomas describes that "These fields allow the user to quickly identify the modular relay device." *Thomas*, paragraph [0034], ll. 9-10. Thus, the user, and not a computer executing computer-executable instructions,

is doing the determining, and further, the user is identifying the modular relay device and not attempting to determine whether a desired version of a computer executable program is stored on the requesting device. At best, Thomas teaches a method for a remote user to identify the version of a relay device. Neither Thomas nor Nevarez teach or suggest computer-readable and computer-executable instructions for causing a computer to determine whether a desired version of the interface-producing program is stored in association with the first device. For at least these reasons, independent claim 30 is patentable over Thomas in view of Nevarez. For at least these same reasons, claim 31, that depends from claim 30, is also patentable over Thomas in view of Nevarez.

Claim 31 is further patentable over Thomas in view of Nevarez because neither Thomas nor Nevarez teaches or suggests that the computer-readable and computer-executable instructions are configured to cause the computer to access a remote server and download the desired version of the interface-producing program if the computer program product fails to cause the computer to determine that the desired version of the interface-producing program is stored in association with the first device. As discussed above, neither Thomas nor Nevarez teaches conveying a computer program from a first device to a second device, nor do Thomas or Nevarez teach to determine that a desired version of the interface-producing program is stored in association with the first device. Additionally, Thomas and Nevarez do not teach that computer-readable and computer-executable instructions are configured to cause the computer to access a remote server and download the desired version of the interface-producing program if the computer program product fails to cause the computer to determine that the desired version of the interface-producing program is stored in association with the first device. For at least these additional reasons, claim 31 is allowable over Thomas in view of Nevarez.

Claims 9, 17 and 19

Claims 9 and 17 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Thomas and Nevarez as applied above, in view of U.S. Pat. No. 6,459,175 (Potega).

Claim 9

Claim 9 is patentable over Thomas and Nevarez in view of Potega. Potega does not make up for the deficiencies of Thomas and Nevarez as discussed above in reference to claim 1. Thus, for at least the reasons discussed above in reference to claim 1, from which claim 9 depends, claim 9 is patentable over Thomas and Nevarez in view of Potega.

Claims 17 and 19

Claims 17 and 19 are patentable over Thomas and Nevarez in view of Potega. Independent claim 17 recites an uninterruptible power supply (UPS) system. The system includes a memory that stores a computer-executable program configured to be executed by a remote computer to provide a computer interface for providing indicia of the information regarding the UPS system, the computer interface being in a format that is distinct from a network browser format, and an interface-provisioning means for conveying the computer-executable program toward the remote computer via a second input/output device and a communication network. Neither Thomas nor Nevarez teaches or suggests an interface-provisioning means for conveying a computer-executable program toward the remote computer via the second input/output device and the communication network, where the computer-executable program is configured to be executed by the remote computer to provide a computer interface for providing indicia of the information regarding the UPS system. Potega also does not teach these features. Thus, Applicants submit that independent claim 17, and claim 19 that depends from claim 17, are patentable over Thomas and Nevarez in view of Potega.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 10/668,620  
Amdt. dated September 25, 2008  
Reply to Office Action of June 25, 2008

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,

  
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